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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Gregory H. Scott et al.) Attorney Docket No.: KEJR.84164
Serial No.: 09/888,907) Examiner: Thomas P. Noland
Filed: June 25, 2001) Art Unit: 2856
Title: Soil Sampler Liner with)
Areas of Reduced Wall)
Thickness)

#3/Election
App'dam
1/30/03CERTIFICATE OF MAILING
37 C.F.R. 1.8

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Date

Barry Scott

Signature

RESPONSE TO RESTRICTION OR ELECTION REQUIREMENT

Box Responses – No Fee
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office communication mailed on December 20, 2002, Applicant provisionally elects the invention claimed in claims 1-15 and respectfully requests examination of claims 1-15. Applicant assumes that Invention Group 1 includes apparatus claims 1-15, not “Claims 1-5, drawn to a soil sampler liner,” as indicated by the Examiner. See Office communication, page 2, paragraph 2.I (emphasis added).

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Applicant respectfully traverses the restriction requirement with regard to the contention of the Examiner that Inventions Group 1 (apparatus claims 1-15) and Group 2 (claim 16) are distinct, each from the other, because the apparatus as claimed can be used to practice another and materially different process. In particular, Applicant does not understand the Examiner's contention that "the apparatus is claimed can be used to practice another and materially different process such as one where the reduced areas are not used to facilitate cutting but to allow easier injection of a treating chemical." See Office communication, pages 2-3, paragraph 3.

Respectfully submitted,



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